



THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF

Verdonk et al.

SERIAL NO. 10/661,238

FILED: September 12, 2003

FOR: ORTHOPEDIC ARM AND SHOULDER
BRACE

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) ATTN: Application Branch
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Docket No. 920522-94798

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Station Missing Parts, PO Box 1450, Alexandria VA 22313-1450 on December 23, 2003. *KK*
Name of person signing Kathy Kurek
Signature *Kathy Kurek*

SUBMISSION OF DECLARATION

Honorable Director of Patents and Trademarks
PO Box 1450
Alexandria VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application, issued December 5, 2003, submitted herewith is a declaration, signed by the inventor(s). Therefore, the requirement of the Patent and Trademark Office for a declaration has been met.

In accordance with the provisions of the rules of the Patent and Trademark Office, the required surcharge of \$65.00 is appended hereto.

December 19, 2003

Respectfully submitted,

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R2570-US

Attorney Docket No.: 920522-94798

Client Reference No.: R2570-US

DECLARATION AND POWER OF ATTORNEY -- PATENT APPLICATION

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought in the application entitled:

Orthopedic Arm and Shoulder Brace

the specification of which

(*check one*) _____ is attached hereto

x was filed on September 12, 2003 as
United States Application Serial No. _____ or
PCT International Application No. _____
and was amended on _____

I hereby declare that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56. I also acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application, if this is a continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate on which priority is claimed (as listed below) and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
<u>02447173.2</u>	<u>Europe</u>	<u>12 September 2002</u>	<u>x</u>	
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

<u> </u>	<u> </u>
Application Number	Filing Date
<u> </u>	<u> </u>
Application Number	Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(b) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u> </u>	<u> </u>	<u> </u>
Application Serial No.	Filing Date	Status-patented, pending, abandoned
<u> </u>	<u> </u>	<u> </u>
Application Serial No.	Filing Date	Status-patented, pending, abandoned

I hereby appoint Thomas J. Donovan, Reg. No. 33231; Alice O. Martin, Reg. No. 35601; Grant H. Peters, Reg. No. 35977; Mark A. Hamill, Reg. No. 37145; Michael B. Allen, Reg. No. 37582; Daniel P. Albers, Reg. No. 44008; Sendil K. Devadas, Reg. No. 52425; Thomas E. Smith, Reg. No. 18243; Dennis M. McWilliams, Reg. No. 25195; James R. Sweeney, Reg. No. 18721; William M. Lee, Jr., Reg. No. 26935; Glenn W. Ohlson, Reg. No. 28455; David C. Brezina, Reg. No. 34128; Jeffrey R. Gray, Reg. No. 33391; Gerald S. Geren, Reg. No. 24528; Robert F.I. Conte, Reg. No. 20354; Timothy J. Engling, Reg. No. 39970; Howard B. Rockman, Reg. No. 22190; Peter J. Shakula, Reg. No. 40808; Mark A. Hagedorn, Reg. No. 44731; Mark J. Nahnsen, Reg. No. 51093; William R. Coffey, Reg. No.

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William M. Lee, Jr.
BARNES & THORNBURG
P.O. Box 2786
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Telephone: 312-368-1300.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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